

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC. SECURITIES LITIGATION	CASE NO. 4:19-CV-00957 (CONSOLIDATED) JUDGE GEORGE C. HANKS, JR. THIS DOCUMENT RELATES TO: CASE NO. 4:22-CV-01189 CASE NO. 4:22-CV-02590
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**THE DIRECT ACTION PLAINTIFFS’ UNOPPOSED MOTION TO SEAL (1)
THE DIRECT ACTION PLAINTIFFS’ OPPOSITION TO DEFENDANTS’
MOTION TO EXCLUDE OPINIONS OF DR. ZACHARY NYE, PH.D. (DKT.
561), AND THE (2) ROLNICK DECLARATION AND EXHIBITS SUBMITTED
THEREWITH (DKT. 562).**

The Alyeska Plaintiffs and the Orbis Plaintiffs¹ (collectively, the “Direct Action Plaintiffs”) respectfully request leave to file under seal unredacted copies of (1) the Direct Action Plaintiffs’ Opposition to Defendants’ Motion to Exclude Opinions of Dr. Zachary Nye, Ph.D. (“Opposition”) (Dkt. 561), and (2) the Rolnick Declaration² submitted

¹ The “Alyeska Plaintiffs” are: Alyeska Master Fund, L.P., Alyeska Master Fund 2, L.P., and Alyeska Master Fund 3, L.P. The “Orbis Plaintiffs” are: Orbis Global Equity LE Fund (Australia Registered), Orbis Global Equity Fund (Australia Registered), Orbis Global Balanced Fund (Australia Registered), Orbis SICAV, Orbis Institutional Global Equity L.P., Orbis Global Equity Fund Limited, Orbis Institutional Funds Limited, Allan Gray Australia Balanced Fund, Orbis OEIC, and Orbis Institutional U.S. Equity L.P.

² The “Rolnick Declaration” is the Declaration of Lawrence M. Rolnick in Opposition to Defendants’ Motion to Exclude Opinions of Dr. Zachary Nye, Ph.D.

therewith, together with the exhibits thereto (Dkt. 562). No party objects to the relief sought in this motion.

As grounds for this motion, the Direct Action Plaintiffs state as follows:

1. On August 17, 2021, the Court entered the Stipulation and Protective Order (“PO”) (Dkt. 190), which governs the handling of confidential information exchanged in discovery in this matter.

2. According to Paragraph 24 of the PO, “[i]f any party submits Confidential Discovery Material or Confidential Attorney Eyes Only Discovery Material to the Court, the submission must be filed only under seal on CM/ECF if filed electronically[.]” PO at ¶ 24 (emphasis added).

3. The Direct Action Plaintiffs’ Opposition contains, describes and refers to non-public documents and information that have been designated by the parties and nonparties as Confidential Discovery Material or Confidential Attorney Eyes Only Discovery Material, pursuant to the PO.

4. On January 18, 2024, prior to the filing of the Opposition, the Direct Action Plaintiffs asked counsel for all Defendants and the Class Plaintiffs by e-mail if they opposed the filing of the Opposition under seal, and no counsel opposed or objected to the filing.

5. Today, pursuant to the PO, the Direct Action Plaintiffs filed the Opposition under seal. The Direct Action Plaintiffs will file a public, redacted version of the Opposition within five (5) business days.

6. The Direct Action Plaintiffs are bound by the provisions of the PO, and therefore must, and now do, seek leave to file the Opposition under seal.

THEREFORE, the Direct Action Plaintiffs request that the Court grant their request for leave to file under seal unredacted copies of the Opposition and the Rolnick Declaration submitted therewith, together with the exhibits thereto.

Dated: January 19, 2024

Respectfully submitted,

By: /s/ Lawrence M. Rolnick

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CERTIFICATE OF SERVICE

I certify that this motion has been served on counsel of record via the Court's ECF system on January 19, 2024.

/s/ Lawrence M. Rolnick

Lawrence M. Rolnick

CERTIFICATE OF CONFERENCE

I certify that on January 18, 2024, counsel for Direct Action Plaintiffs conferred with counsel for all Defendants and the Class Plaintiffs regarding the substance of this Motion. No parties opposed.

/s/ Lawrence M. Rolnick

Lawrence M. Rolnick